Indian and Northern Affairs Canada | Affaires indiennes et du Nord Canada

Summer 2005

NWT Plain Talk

On Land and Self-government

DENENDEH

Land of the People

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Got something to tell us?

Hundreds of people gathered along the banks of the Yellowknife River to feast and feed the fire as they opened the Assembly of First Nations Annual General Assembly. Top Left: Alfred Baillargeon; Top Right: Patrick Charlo, Albert Boucher, Yellowknives Dene First Nation (Deltah) Chief Peter Liske, Judy Charlo, Mark Cassway, and Elise Liske; Bottom Right: Clifford Sangris, Eddie Sangris and Peter Crookedhand.

Denendeh, the Dene word meaning "Land of the People", was the 2005 Assembly's theme.

This past summer, the 26th Assembly of First Nations (AFN) Annual General Assembly was held in Yellowknife (Sǫmbak'è). The Assembly of First Nations National Office, the Dene Nations, the Akaitcho Government and the Assembly of First Nations NWT Regional Office hosted the Assembly for five days, and approximately 2,000 people attended.

Events began on the evening of Monday, July 4th, with an Assembly Feast, drum dance and Dene hand games tournament at the Yellowknife River. Meetings began the following morning with an opening prayer, welcoming remarks from a variety of NWT Chiefs and politicians, and an opening address from AFN National Chief, Phil Fontaine. Topics for discussion covered a wide range of important issues: climate change, residential schools, economic development, citizenship and more.

The AFN Trade Show took place in Sir John Franklin High School foyer and gymnasium. The Trade Show was an excellent opportunity for Aboriginal and Non-Aboriginal organizations, businesses and governments to meet and talk to one another about the future of Aboriginal business and investment.

The meetings wrapped up late afternoon on Thursday, July 7, with a traditional tea dance.

First Nations youth are represented at the Assembly as participants in meetings, as employees and through the AFN Youth Council. The AFN Youth Council is a formal structure within the AFN composed of First Nations youth between the ages of 16 and 29 years old living on- and off-reserve. Each region selects two representatives for the Youth Council, one male and one female. Youth Council members also attend all AFN Assemblies and Confederacies.

The purpose of our newsletter is to keep you informed on the progress of land and self-government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of the Department of Indian Affairs and Northern Development (DIAND), we hope you will find our newsletter informative and easy to read.

Canada

Commemorative Dates

Plain Talk celebrates the imporant history of Aboriginal People

This issue of Plain Talk celebrates the commemorative dates for Aboriginal people in the Northwest Territories and Aboriginal people all over Canada. From the historical* Constitution Act, 1982 *to the recent implementation of the Tlicho Agreement, this issue reflects on important dates that have enhanced the life of Aboriginal people and paved the way for successful land claim and self-government negotiations.

Two Yellowknife Elders, Tom Eagle and Michel Paper, address the 2005 Assembly of First Nations

1975, 1978

The *James Bay and Northern Quebec Agreement* (JBNQA) and the *Northeastern Quebec Agreement* (NEQA) are Canada's first modern land claim settlements. Signed in 1975 and 1978, they fulfil a commitment to deal with land issues dating back to the late 1800s.

1982

National Indian Brotherhood (now the Assembly of First Nations) calls for the creation of June 21 as National Aboriginal Solidarity Day.

Constitution Act, 1982, including section 35, recognizes and affirms Aboriginal and Treaty rights.

1984

In 1984, the Inuvialuit settled the first comprehensive land claim in the Northwest Territories. The Inuvialuit Final Agreement stipulates that the Inuvialuit continue to have surface ownership rights to 90,650 square kilometres of land as well as certain subsurface rights to another 12,950 square kilometres of land.

1990

In 1976 and 1977, the Government of Canada accepted comprehensive claims from the Dene and Métis of the Mackenzie Valley in the NWT. Negotiation of a joint Dene/Métis claim began in 1981. An agreement was initialed by negotiators in April 1990. In July 1990, the Dene and Métis at their assemblies voted not to proceed with ratification of the agreement. The Gwich'in and Sahtu Dene and Métis did not agree with this action and withdrew from the Dene/Métis negotiating group and requested regional settlements. In November 1990, the Government of Canada discontinued negotiation of the Dene/Métis claim and authorized the negotiation of separate regional settlements with any of the five Dene and Métis regions that requested it.

1992

The Gwich'in of the Mackenzie Delta Region were the first Dene and Métis group to negotiate a regional comprehensive claim. Their final agreement was signed on April 22, 1992, and came into effect in December 1992.

In 1992 the Government of Canada, with input from the provinces, drafted the *Charlottetown Accord*. This new proposed amendment to the constitution included special status for Québec, and it provided for Aboriginal self-government after negotiations with the federal government. The *Charlottetown Accord* was presented to Canadians in a national referendum in October 1992 and Canadians rejected it.

The Constitution Act, 1982

A constitution is the basic rules or laws by which a nation, people or group organize and govern themselves. In Canada, the Constitution is described as "the supreme law of Canada".

Section 35 (s.35) of the *Constitution Act, 1982* has a profound affect on the lives of Aboriginal peoples:

- existing Aboriginal and Treaty rights are recognized and affirmed;
- Aboriginal people are defined as Indian, Inuit and Métis people of Canada;
- Treaty rights include rights that exist by way of land claims or agreements that may be acquired through future agreements;
- Aboriginal and Treaty rights are guaranteed equally to men and women; and
- the federal, provincial and territorial governments are committed to include representatives of Aboriginal people in future constitutional discussions that directly affect them.

Canada has made building partnerships with Aboriginal people a top priority. Even though the *Constitution Act, 1982* recognizes and protects Aboriginal and Treaty rights, in some cases, not all of the rights are understood or agreed upon by Aboriginal people. Strong partnerships and relationships between governments and Aboriginal people will improve understanding and communication during negotiations, and will quicken the pace of self-government. Self-government and land claim agreements provide Aboriginal Peoples with the power and resources to be more effective partners in addressing the socioeconomic conditions and needs of their communities.

AFN National Chief, Phil Fontaine, shakes hands with Cst. John Turcotte (Fort Good Hope). Standing beside him is Cst. Malvina Moore ("K" Division - Edmonton), and Aux/Cst. Francis Jackson (Yellowknife), and Cst. Noella Cockney (Inuvik).

National Aboriginal Day celebrations at Sjoinbet'ii Park June 21, 2005.

1993

A political accord was signed by the federal and territorial governments and the Tungavik Federation of Nunavut on October 30, 1992 that outlines the creation of a Nunavut Territorial Government. In June 1993, after the boundary of the proposed new territory was approved by a majority of NWT residents, both the *Nunavut Land Claims Agreement Act* (Bill C-133) and the Act to Divide the NWT and Create the *Territory of Nunavut* (Bill C132) were passed.

On May 29, 1993 the Government of Canada, the Yukon Territorial Government, and the Yukon First Nations as represented by the Council of Yukon Indians (now the Council of Yukon First Nations), signed the *Umbrella Final Agreement*. This Agreement is an "agreement to negotiate an agreement" and does not create or affect any legal rights. It sets out the ground rules by which Canada, the Yukon Government and each Yukon First Nation will negotiate their own final agreement and self-government agreement.

1994

The Sahtu Dene and Metis were the second Dene and Metis group to seek a regional comprehensive land claim. Their final agreement was signed on September 6, 1993 and came into effect on June 23, 1994.

1995

The 1995 Inherent Right of Self-government Policy allows self-government to be negotiated simultaneously with lands and resources as part of comprehensive claims agreements.

1996

June 21 is declared as National Aboriginal Day, and celebrated for the first time with events from coast to coast to coast.

2000

The *Nisga'a Final Agreement* came into effect on May 11, 2000. The agreement is the first modern treaty in B.C. and the first treaty in Canada to incorporate both land claims and constitutionally protected self-government provisions.

2003

On August 25, 2003 the Tłı̨chǫ signed the first NWT combined land claim and self-government agreement.

2004

The Canada Aboriginal Peoples Roundtable meeting was held in Ottawa on April 19, 2004. This was the first time members of the Federal Cabinet, House of Commons members and Aboriginal leaders worked together to address how to close the gap between Aboriginal people and other Canadians in six specific areas: health, housing, education/lifelong learning, negotiations/relationships, economic opportunities, and accounting for results.

Celebrating National Aboriginal Day

June 21 was chosen for National Aboriginal Day because of the cultural significant of the summer solstice. June 21 is the first day of summer and longest day of the year, and it is a time for Inuit, Métis, and First Nations to celebrate Aboriginal culture, achievements, and for the rest of Canada to join in and celebrate and honour Aboriginal peoples contribution to the nation.

2005 - May 31

On May 31, 2005, at the Canada Aboriginal Peoples Roundtable Policy Retreat, leaders of the National Aboriginal Organizations signed accords with the Government of Canada that will ensure their direct involvement in Aboriginal policy development.

2005 - July 4-7

Yellowknife hosts its first Assembly of First Nations Annual General Assembly.

2005 - August 4

August 4, 2005 was the effective date of the *Tłı̨chǫ Agreement*. As of this day, the Dogrib Treaty 11 Council and the four Tłı̨chǫ *Indian Act* bands ceased to exist and were succeeded by the Tłı̨chǫ Government.

NWT Commissioner, Tony Whiteford gives his speech at the National Aboriginal Day celebrations, June 21, 2005.

Federal Ministers and National Aboriginal Leaders Participate in Joint Policy Retreat

On May 31, 2005 at the Canada Aboriginal Peoples Roundtable Policy Retreat, the leaders of the Assembly of First Nations, the Inuit Tapirit Kanatami, the Métis National Council, the Congress of Aboriginal Peoples and the Native Women's Association of Canada signed accords with the Government of Canada that will ensure their direct involvement in Aboriginal policy development. This inclusive process will help ensure that First Nations, Métis and Inuit Canadians participate more fully in the federation and exercise greater control over their social and economic futures.

The Government of Canada is involved with policy renewal and change on issues relating to: implementation of self-government; resolution of Aboriginal land rights; implementation of historic treaties and implementation of modern land claims and self-government agreements. Agreement was also reached regarding directions for change in health, education/lifelong learning, housing, economic opportunities and accountability for results.

The policy accords highlight the commitment between the Government of Canada and the National Aboriginal Organizations to strengthen partnerships. The renewed policy approaches will remove roadblocks to successful negotiations, and will improve the way agreements (both interim and final) are achieved. This new way of working together will provide clearer guidelines for how land and resources are used.

Renewed policy approaches will also achieve more self-government agreements and enhance the ability to resolve disputes over implementation of both historic and modern treaties. Self-government agreements, land claim agreements and treaties are important for all Canadians because they support harmonious relations between Aboriginal and non-Aboriginal communities. They provide stability for intergovernmental relationships and ensure that laws, rights and obligations are clear to everyone.

The New Tłı̨chǫ Government

Former Prime Minister, Jean Chrétien, poses with Tłı̨chǫ delegates on August 23, 2003: Joe Migwi, Alex Arrowmaker, Harry Simpson and Jimmy B. Rabesca. Standing behind them: Chief Archie Wetrade, Chief Eddie Paul Rabesca, Chief Joseph Judas and Chief Charlie James Nitsiza.

On June 13, 2005, residents of four Tłı̨chǫ Communities went to the polls to elect the new community governments under the Tłı̨chǫ Agreement which came into effect on August 4, 2005. Four Chiefs were elected (one for each of the four Tłı̨chǫ communities), as well as 28 community councillors; former MLA Leon Lafferty was elected chief of Behchokǫ̀ (Formerly known as Rae-Edzo), Charlie Football was elected in Wekweètì, Henry Gon was elected in Gamèti, and Chief Charlie Nitsiza was re-elected in Whatì.

This fall, Tłı̨chǫ Citizens will elect a Grand Chief for the new Tłı̨chǫ Government and the four Tłı̨chǫ community governments will select eight Tłı̨chǫ community councillors (two from each of the four communities) to sit in the Assembly of the new Tłı̨chǫ Government along with the four Tłı̨chǫ community government Chiefs.

This group of thirteen people will then appoint a Speaker of the Tłı̨chǫ Assembly from among the Tłı̨chǫ Citizens who are not members of the Tłı̨chǫ Assembly. The new Tłı̨chǫ Government will replace the Dogrib Treaty 11 Council and the four Tłı̨chǫ band councils. At the community level, the new Tłı̨chǫ community governments (the newly-elected Chief and community councillors) will replace the existing local governments in each Tłı̨chǫ community.

The community governments are municipal-like governments for all the residents of the communities, not just the Tłı̨chǫ Citizens. The community governments have the power to enact laws that are municipal in nature, similar to other community governments in the Northwest Territories.

The Tłı̨chǫ Government is the Aboriginal Government for the Tłı̨chǫ Citizens. It is the first Aboriginal Government to be established in the Northwest Territories through a modern self-government agreement. The Tłı̨chǫ Government will use their new law-making powers to protect and promote the Tłı̨chǫ lands, culture and way of life, and to enhance the economic growth and well-being of their communities.

Just plain fun!

Match up the following terms with their correct definitions:

Accord	a. a number of self-governing regions (such as provinces) united by a central, "federal" government.
Federation	b. to put "something" in action. After claims are settled, the government and Aboriginal groups must implement (put into action) the claim, and live up to their obligations.
Jurisdiction	c. existing or occurring between two or more governments or levels of government.
Implementation	d. a formal political agreement.
Intergovernmental	e. the power, right, authority to interpret and apply the law.

On the Web

Government of Canada programs and services
Government of Canada site:
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Northwest Territories Region site:
www.nwt-tno.inac-ainc.gc.ca

Youthbuzz on the NWT:
www.nwt-tno.inac-ainc.gc.ca/Youthbuzz

Agreements
Indian and Northern Affairs Canada site:
www.ainc-inac.gc.ca/pr/agr/index_e.html

Plain Talk *on the web*
Indian and Northern Affairs Canada site:
www.ainc-inac.gc.ca/nt/pt/index_e.html

OUR VISION

The NWT region of DIAND is a respected partner in a strong and healthy Northwest Territories.

We strive for:

- respectful, effective relationships with Aboriginal people;
- creating and enhancing opportunities for all Northerners;
- responsible resource development in healthy ecosystems;
- northern control over northern resources;
- responsive and accountable northern government as partners; and
- national initiatives that reflect the interests of all Northerners.

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